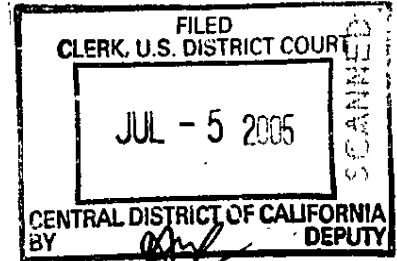


ESTHER G. BOYNTON (SBN 124072)
 9100 Wilshire Blvd., Suite 615 East
 Beverly Hills, California 90212
 Phone: (310) 248-4833 Fax: (310) 271-2212
 Email: egboynton@earthlink.net



ELLEN L. BATZEL (SBN 102607)
 27 Outrigger St., #2
 Marina del Rey, California 90292
 Phone: (310) 659-4218 Fax: (310) 301-9129
 Email: batzelpalmleis@aol.com

✓ Priority
 ✓ Send
 — Cisd
 — Enter
 — JS-5/JS-6
 — JS-2/JS-3

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

ELLEN L. BATZEL,

Plaintiff,

vs.

ROBERT SMITH, et al.,

Defendants.

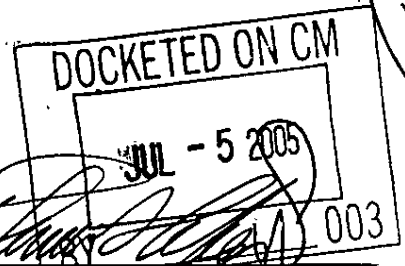
) Case No. CV 00-9590-SVW (AJWx)
)
) **Proposed ORDER DISMISSING**
) **ACTION WITHOUT PREJUDICE**
) **PURSUANT TO FED. R. CIV. PRO.,**
) **RULE 41(a)(2)**
)
) Date: July 25, 2005
) Time: 1:30 p.m.
) Courtroom: 6
) Judge: Honorable Stephen V. Wilson

Upon plaintiff Ellen L. Batzel's motion, the Court hereby dismisses this action without prejudice.

IT IS SO ORDERED.

Dated: 7/5/05

Honorable Stephen V. Wilson
 United States District Court Judge



PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen and not a party to the within action. My business address is 9100 Wilshire Blvd., Suite 615 East, Beverly Hills, CA 90212.

On July 1, 2005, I served the foregoing document described as **[Proposed] ORDER DISMISSING ACTION WITHOUT PREJUDICE PURSUANT TO FED. R. CIV. PRO., RULE 41(a)(2)** on the interested parties in this matter by placing true copies thereof enclosed in sealed envelopes addressed to the following:

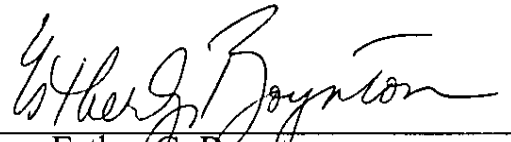
Robert Joseph Smith
984 Nighthawk Drive
Christiansburg, VA 24073

Robert Joseph Smith
1117 Brandon Avenue SW
Roanoke, VA 24015-3005

I deposited such envelopes in the mail at Los Angeles, California. The envelopes were mailed with postage thereon fully prepaid.

I declare that I am a member of the bar of this Court and that the foregoing is true and correct.

Executed on July 1, 2005



Esther G. Boynton